

SECOND REGULAR SESSION

# HOUSE BILL NO. 1667

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE GATSCHENBERGER.

5753H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to political subdivisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.313, to read as follows:

**67.313. 1. Beginning January 1, 2015, if approved by a majority of the voters voting on the proposal, any city, town, village, sewer district, or water supply district located within this state may, by order or ordinance, levy and impose annually, upon lateral sewer service lines providing sewer service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, village, sewer district, or water supply district, a fee not to exceed four dollars per month or forty-eight dollars annually.**

**2. The ballot of submission shall be in substantially the following form:**

**For the purpose of repair or replacement of lateral sewer service lines extending from the residential dwelling to its connection with the public sewer system line, due to failure of the line, shall ..... (city, town, village, sewer district, or water supply district) be authorized to impose a fee not to exceed four dollars per month or forty-eight dollars annually on residential property for each lateral sewer service line providing sewer service within the (city, town, village, sewer district, or water supply district) to a residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary lateral sewer service line repairs or replacements?**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **3. For the purpose of this section, a lateral sewer service line may be defined by**  
18 **local order or ordinance, but shall not include more than the portion of the sewer line**  
19 **which extends from the sewer mains owned by the utility or municipality to the point of**  
20 **entry into the premises receiving sewer service, and shall not include facilities owned by**  
21 **the utility or municipality. For purposes of this section, repair may be defined and limited**  
22 **by local ordinance, and may include replacement or repairs.**

23           **4. If a majority of the voters voting thereon approve the proposal authorized in**  
24 **subsection 1 of this section, the governing body of the city, town, village, sewer district, or**  
25 **water supply district may enact an order or ordinance for the collection of such fee. The**  
26 **funds collected under such ordinance shall be deposited in a special account to be used**  
27 **solely for the purpose of paying for the reasonable costs associated with and necessary to**  
28 **administer and carry out the lateral sewer service line repairs as defined in the order or**  
29 **ordinance and to reimburse the necessary costs of lateral sewer service line repair or**  
30 **replacement. All interest generated on deposited funds shall be accrued to the special**  
31 **account established for the repair of lateral sewer service lines.**

32           **5. The city, town, village, sewer district, or water supply district may establish, as**  
33 **provided in the order or ordinance, regulations necessary for the administration of**  
34 **collections, claims, repairs, replacements, and all other activities necessary and convenient**  
35 **for the implementation of any order or ordinance adopted and approved under this**  
36 **section. The city, town, village, sewer district, or water supply district may administer the**  
37 **program or may contract with one or more persons, through a competitive process, to**  
38 **provide for administration of any portion of implementation activities of any order or**  
39 **ordinance adopted and approved under this section, and reasonable costs of administering**  
40 **the program may be paid from the special account established under this section not to**  
41 **exceed five percent of the fund on an annual basis.**

42           **6. Notwithstanding any other provision of law to the contrary, the collector in any**  
43 **city, town, village, sewer district, or water supply district that adopts an order or ordinance**  
44 **under this section, who now or hereafter collects any fee to provide for, ensure, or**  
45 **guarantee the repair of lateral sewer service lines, may add such fee to the general tax levy**  
46 **bills of property owners within the city, town, village, sewer district, or water supply**  
47 **district. All revenues received on such combined bill which are for the purpose of**  
48 **providing for, ensuring, or guaranteeing the repair of lateral sewer service lines shall be**  
49 **separated from all other revenues so collected and credited to the appropriate fund or**  
50 **account of the city, town, village, sewer district, or water supply district. The collector of**  
51 **the city, town, village, sewer district, or water supply district may collect such fee in the**

52 same manner and to the same extent as the collector now or hereafter may collect  
53 delinquent real estate taxes and tax bills.

54       7. In any county with a charter form of government and with more than three  
55 hundred thousand but fewer than four hundred fifty thousand inhabitants, if any city,  
56 town, village, sewer district, or water supply district does not actually process or treat  
57 sewage or wastewater but pays a premium or fee to another entity for such service, the city,  
58 town, village, sewer district, or water supply district shall not charge and collect from its  
59 customers a premium or fee of more than thirty-three and one-third percent of the  
60 premium or fee it pays.

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